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CORRECTED VERSION

October 31, 2005

Marlene H. Dortch
Secretary
Federal Communications Commission
445 – 12th Street, SW
Washington, DC 20554

**RE: American Samoa Rate Integration Plan; Policy and Rules Concerning
the Interstate Interexchange Marketplace; CC Docket No. 96-61**

Dear Ms. Dortch,

I am writing on behalf of the American Samoa Telecommunications Authority (“ASTCA”) to respond to inquiries from the Commission staff. Judith Nitsche, Assistant Chief, Pricing Policy Division, Wireline Competition Bureau, called me recently to inquire about the current status of American Samoa’s implementation of the North American Numbering Plan (“NANP”), and ASTCA’s Feature Group D offering and equal access conversion. In response, ASTCA reports the following:

- American Samoa fully converted from an international calling code to an NANP area code as of April 2, 2005. Permissive dialing began October 2, 2004 for a six month period until April 2, 2005 when mandatory dialing was implemented and American Samoa became fully integrated into the NANP. ASTCA’s principal competitor, Blue Sky Communications, participated actively in the process of implementing this conversion.
- Equal access and Feature Group D were fully implemented in ASTCA’s local switching office as of September 8, 2005 – ahead of the deadline imposed pursuant to the process established by the Industry Numbering Committee (“INC”) of the Alliance for Telecommunications Industry Solutions (“ATIS”).
- American Samoa consumers had the opportunity to participate in two rounds of equal access balloting, conducted on June 10, 2005 and August 10, 2005. On or about July 31, 2005, an allocation process was conducted to assign an interexchange carrier (“IXC”) to those consumers that did not specify their selected IXC.

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Thus, ASTCA has fully implemented all of the commitments included in ASTCA's 1997 Rate Integration Plan, and has resolved all the concerns regarding rate integration identified in the Common Carrier Bureau's July 30, 1997 order. *Policy and Rules Concerning the Interstate, Interexchange Marketplace; Implementation of Section 254(g) of the Communications Act of 1934, as amended*, 12 FCC Rcd 11548 (CCB 1997).

Thus, the Commission should expeditiously terminate the suspension of U.S. IXC's obligations to provide long-distance services on a rate-integrated basis to American Samoa, and require U.S. IXC's to fulfill their obligations under Section 254(g) of the Act to charge domestic rates for calls to all domestic locations, including American Samoa. The Bureau order suspending that obligation, *id.* (¶¶ 21-22), noted that American Samoa had not entered the NANP, and that Feature Group D and equal access dialing were not yet available. Now, however, all of these purported impediments to IXC's rate integration have been eliminated. Nonetheless, the U.S. IXC's continue to charge international rates for calls from the United States mainland to American Samoa, which severely harms American Samoans and consumers in the U.S. who place calls to American Samoa. We understand that informal complaints about this practice have been filed with the Commission.

I should also note that ASTCA offers Feature Group D switched access services at tariffed NECA access rates charges only to IXC's that choose to establish physical Points of Presence (POPs) within American Samoa – just as ILECs in the mainland United States do not and cannot offer Feature Group D switched access services to IXC's without POPs in their LATAs. In order to receive tariffed switched access service, IXC's must deliver traffic to a location in ASTCA's service territory. To date, none of the major national IXC's has established a POP in American Samoa. These carriers currently provide service terminating in American Samoa via "connecting carrier" arrangements pursuant to 47 C.F.R. § 61.3(l), in which they operate satellite half-circuits that meet half-circuits operated by ASTCA, and they pay ASTCA to terminate calls on their behalf. Neither the FGD form of interconnection nor tariffed access charges apply to such arrangements. ASTCA submits, however, that a carrier's decision not to establish a POP in a particular geographic area of the United States does not excuse the carrier from its statutory obligation, under Section 254(g) of the Act, to provide rate integrated service to that geographic area.

Finally, ASTCA notes that the 1997 Rate Integration Plan has been pending before the Commission for seven years. ASTCA respectfully submits that it is long past the time when this matter should have been resolved. In order to protect American consumers from unreasonable and excessive international calling charges for domestic calls, the Commission must expeditiously resolve the issues raised in this proceeding and terminate the suspension of the requirement to integrate domestic rates for calls placed to American Samoa.

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Please contact me if you have any further questions.

Very truly yours,



David L. Sieradzki
Counsel for the American Samoa
Telecommunications Authority

cc: Judith Nitsche
Lenworth Smith
Joi Nolen